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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,582	02/25/2002	Benjamin Slotznick	8899-42U1	6072

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EXAMINER

SHORTLEDGE, THOMAS E

ART UNIT PAPER NUMBER

2626

DATE MAILED: 10/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/084,582

Applicant(s)

SLOTZNICK ET AL.

Examiner

Thomas E. Shortledge

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 16, 19-27, 33-43, 48 and 51-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-11, 22-27, 33-43 and 54-57 is/are allowed.
- 6) ☒ Claim(s) 16, 19-21, 48 and 51-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to Remarks, filed 07/06/2006.
2. Claims 1-11, 16, 19-27, 33-43, 48 and 51-59 are pending. Claims 12-15, 17-18, 28-32, 44-47, 49-50 and 60-68 have been cancelled. Claims 1, 10, 16, 22, 33, 42, 48 and 54 are independent. Claims 16, 19, 48 and 51 have been amended.

Response to Arguments

3. Applicant's arguments with respect to claims 16, 19-21, 48 and 51-53 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

4. Claim 1-11, 22-27, 33-43 and 54-57 are allowed.

The following is an examiner's statement of reasons for allowance:

The closest prior art of record, Kiraly et al. (6,324,511) teach text reader software that electronically reads text-based data aloud and automatically highlights the text as it is read so that the user can visually associate the spoken words in the text document. The highlighting may be word-by-word highlighting or phrase-by-phrase highlighting (column 9, lines 25-35).

The source of the text-based data may be the contents of a clipboard, a Microsoft Word document, an Internet Explorer document, or text-based data of other application software (col. 8, line 64 through col. 9, line 18). If the source of the text-based data comes from a clipboard, a user may select particular sentences or paragraphs into the clipboard (col. 9, lines 1-7). The selection of text to be highlighted and spoken is automatically selected from the text-based data source in sequential order.

Chung et al. (6,115,686) teach a system for converting an HTML document into audio signals by parsing the HTML files, associating new tags pertaining the rules of reading the text and a PARAM tag that indicates how quickly the text should be spoken, where the text is spoken to the user using a TTS converter (col. 6, lines 40-46 and col. 7, lines 1-6).

Claims 1, 10, 33 and 42 disclose a method of translating an original web page to a visually displayable text-to-speech enabled web page, the original web page being defined by source code including at least text designated for displaying, the method comprising: parsing the text of the source code designated for display into one or more grammatical units, associating a tag with each of the grammatical units, associating an event handler with each of the tags, the event handler invokes text-to-speech software code, and reassembling the original web page source code with associated tags and event handlers to form visually displayable text-to-speech enabled web page source, wherein when an even associated with an event handler occurs during user interaction with a display of a text-to-speech enabled web page, the text-to-speech software code

causes the grammatical unit associated with the tag of the event handler to be automatically spoken. Chung et al. in view of Kiraly et al. do not teach nor fairly suggest reassembling the original web page source code... to form visually displayable text-to-speech enable web page source code.

Claims 22 and 59 disclose when a pointing device is positioned over a link, the link is automatically highlighted, the associated text is automatically loaded into a text-to-speech software program to speak the text to the user, and finally automatically navigating to the address of the link, and that these steps occur sequentially and without requiring any further user manipulation.

Chung et al. in combination Kiraly et al. do not teach reading the text associated with the highlighted link, and automatically navigating the link, which has been highlighted by pointing device.

Claims 2-9, 11, 23-27, 34-41, 43, and 55-59 would be allowed since they depend from the above claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 16, 19-21, 48, and 51-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Siegel (US 6,442,523 B1) in view of Gardner (US 6,580,416 B1).

As to claims 16 and 48, Siegel teaches a method of allowing a user to interact with a web page displayed on a display device (*col. 19, lines 31-35 and display, col. 4, line 23*), wherein the web page includes one or more grammatical units (*web page with headings, words, sentences and passages, col. 19, lines 20-30*):

(a) positioning a pointing device over a grammatical unit (user mouses over words within a passage *col. 19, lines 20-30*);

(b) automatically loading the grammatical unit into a text-to-speech engine without requiring any further user manipulation of the pointing device or any other user interfaces associated with the display device (*when the user mouses over an active grammatical region, the grammatical region is read aloud without any further input required from the user, col. 19, lines 31-47*), the grammatical unit thereby being automatically spoken (*the grammatical unit is automatically spoken, col. 19, lines 31-*

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47), wherein steps (a) and (b) occur sequentially (the user first positions the mouse over an active region, then the region is read aloud, col. 19, lines 20-30 and lines 31-47).

Siegel does not teach:

automatically highlighted whenever the pointing device is over the active region, and without requiring any further user manipulation of the pointing device or any other user interfaces associated with the display device; nor

step (b) occurs only if the pointing device persists in the active region for greater than a preset human perceivable time period.

However, Gardner teaches:

the grammatical unit being automatically highlighted whenever the pointing device is over the active region, and without requiring any further user manipulation of the pointing device or any other user interfaces associated with the display device (when ever the pointing device is pointed over the active region a mouse event occurs automatically without any further input required from the user, the mouse even being a visual change on the screen (col. 5, lines 60-67). It would be necessary that a visual change on the screen include highlighting since highlighting is a visual change on the screen.); and

step (b) occurs only if the pointing device persists in the active region for greater than a preset human perceivable time period (the computer performs the instructions associated with the fire event, when the pointing device persists within the active region for a time period greater than a human perceivable amount of time, col. 5, lines 24-54).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the methods of Siegel with the time delay method taught by Gardner to lessen the effort required of the user to activate an active region since no effort is required on the part of the operator to activate the actuator other than entering the region of actuation with the pointing device and holding it there, as taught by Gardner (col. 4, lines 25-27).

As to claims 19 and 51, Siegel does not teach the preset time period is at least about one second.

However, Gardner teaches a time period to cock the actuator that is larger than the amount of time an operator might normally need to pass the cursor over the region of the actuator, and a time period to fire the actuator that is larger than the amount of time needed for the operator to move the cursor out of the region actuation (col. 5, lines 33-47).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the methods of Siegel with the time delay method taught by Gardner to lessen the effort required of the user to activate an active region since no effort is required on the part of the operator to activate the actuator other than entering the region of actuation with the pointing device and holding it there, as taught by Gardner (col. 4, lines 25-27).

As to claims 20 and 52, Siegel teaches the grammatical unit is a sentence (col. 37, lines 20-24).

As to claims 21 and 53, Siegel teaches the pointing device is a mouse (mouse, col. 19, line 21).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas E. Shortledge whose telephone number is (571)272-7612. The examiner can normally be reached on M-F 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571)272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TS
09/13/06


RICHEMOND DORVIL
SUPERVISORY PATENT EXAMINER